

## DISTRICT COURT CIVIL COVER SHEET

A-16-733477-C

County, Nevada

Case No.

XXXI

(Assigned by Clerk's Office)

**I. Party Information** (provide both home and mailing addresses if different)

Plaintiff(s) (name/address/phone):

GABRIELA BARRERA

Defendant(s) (name/address/phone):

CARDENAS MARKETS, INC

Attorney (name/address/phone):

BRYAN H. BLACKWELL, ESQ.

801 S. 4st

Las Vegas, Nevada, 89101

Attorney (name/address/phone):

UNKNOWN

**II. Nature of Controversy** (please select the one most applicable filing type below)**Civil Case Filing Types**

<b>Real Property</b> <b>Landlord/Tenant</b> <input type="checkbox"/> Unlawful Detainer <input type="checkbox"/> Other Landlord/Tenant <b>Title to Property</b> <input type="checkbox"/> Judicial Foreclosure <input type="checkbox"/> Other Title to Property <b>Other Real Property</b> <input type="checkbox"/> Condemnation/Eminent Domain <input type="checkbox"/> Other Real Property	<b>Negligence</b> <input type="checkbox"/> Auto <input checked="" type="checkbox"/> Premises Liability <input type="checkbox"/> Other Negligence <b>Malpractice</b> <input type="checkbox"/> Medical/Dental <input type="checkbox"/> Legal <input type="checkbox"/> Accounting <input type="checkbox"/> Other Malpractice	<b>Torts</b> <b>Other Torts</b> <input type="checkbox"/> Product Liability <input type="checkbox"/> Intentional Misconduct <input type="checkbox"/> Employment Tort <input type="checkbox"/> Insurance Tort <input type="checkbox"/> Other Tort
<b>Probate</b> <b>Probate</b> (select case type and estate value) <input type="checkbox"/> Summary Administration <input type="checkbox"/> General Administration <input type="checkbox"/> Special Administration <input type="checkbox"/> Set Aside <input type="checkbox"/> Trust/Conservatorship <input type="checkbox"/> Other Probate <b>Estate Value</b> <input type="checkbox"/> Over \$200,000 <input type="checkbox"/> Between \$100,000 and \$200,000 <input type="checkbox"/> Under \$100,000 or Unknown <input type="checkbox"/> Under \$2,500	<b>Construction Defect &amp; Contract</b> <b>Construction Defect</b> <input type="checkbox"/> Chapter 40 <input type="checkbox"/> Other Construction Defect <b>Contract Case</b> <input type="checkbox"/> Uniform Commercial Code <input type="checkbox"/> Building and Construction <input type="checkbox"/> Insurance Carrier <input type="checkbox"/> Commercial Instrument <input type="checkbox"/> Collection of Accounts <input type="checkbox"/> Employment Contract <input type="checkbox"/> Other Contract	<b>Judicial Review/Appeal</b> <b>Judicial Review</b> <input type="checkbox"/> Foreclosure Mediation Case <input type="checkbox"/> Petition to Seal Records <input type="checkbox"/> Mental Competency <b>Nevada State Agency Appeal</b> <input type="checkbox"/> Department of Motor Vehicle <input type="checkbox"/> Worker's Compensation <input type="checkbox"/> Other Nevada State Agency <b>Appeal Other</b> <input type="checkbox"/> Appeal from Lower Court <input type="checkbox"/> Other Judicial Review/Appeal
<b>Civil Writ</b> <b>Civil Writ</b> <input type="checkbox"/> Writ of Habeas Corpus <input type="checkbox"/> Writ of Mandamus <input type="checkbox"/> Writ of Quo Warrant <input type="checkbox"/> Writ of Prohibition <input type="checkbox"/> Other Civil Writ		<b>Other Civil Filing</b> <b>Other Civil Filing</b> <input type="checkbox"/> Compromise of Minor's Claim <input type="checkbox"/> Foreign Judgment <input type="checkbox"/> Other Civil Matters

Business Court filings should be filed using the Business Court civil coversheet.

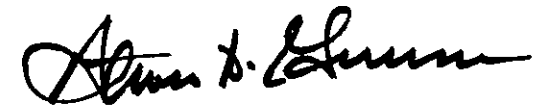
3/16/16

Date

Signature of initiating party or representative

See other side for family-related case filings.

Electronically Filed  
03/16/2016 10:03:36 AM



CLERK OF THE COURT

**COMP**

Bryan H. Blackwell, ESQ.  
Nevada Bar No. 12558

**RICHARD HARRIS LAW FIRM**

801 South Fourth Street  
Las Vegas, Nevada 89101  
Phone: (702) 444-4444  
Fax: (702) 444-4455  
E-Mail: bryan.blackwell@RichardHarrisLaw.com  
*Attorneys for Plaintiff*

**DISTRICT COURT**

**CLARK COUNTY, NEVADA**

GABRIELA BARRERA,

Plaintiff,

vs.

CARDENAS MARKETS, INC.; DOES 1-  
20 and ROE BUSINESS ENTITIES 1-20,  
inclusive,

Defendants.

A-16-733477-C

CASE NO. XXXI

DEPT. NO.

**PLAINTIFF'S COMPLAINT**

COMES NOW, Plaintiff GABRIELA BARRERA, by and through her counsel, BRYAN H. BLACKWELL, ESQ. of the RICHARD HARRIS LAW FIRM, and for her causes of action against Defendants, and each of them, complains and alleges as follows:

**JURISDICTION**

1. At all times relevant, Plaintiff GABRIELA BARRERA was and is a resident of Clark County, State of Nevada.

2. That Defendant CARDENAS MARKETS, INC. is, and at all times mentioned herein was a foreign business or other business entity, licensed to do business in the County of Clark, State of Nevada.



1           3. That Defendants DOES 1-5 and ROE BUSINESS ENTITIES 1-5 are other owners  
2 or operators of the property located at 4700 Meadows Lane, Las Vegas, NV 89107, commonly  
3 known as the Cardenas ("the Property").

4           4. That Defendants DOES 6-10 and ROE BUSINESS ENTITIES are the employees,  
5 managers or controllers responsible for constructing, and/or stocking of the shelves and  
6 merchandise at issue.

7           5. That Defendants DOES 11-15 and ROE BUSINESS ENTITIES 11-15 are the  
8 designers and maintenance providers for the Property, specifically the designers and  
9 maintenance providers of the shelving and merchandise at issue.

10           6. That Defendants DOES 16-20 and ROE BUSINESS ENTITIES 16-20 are the  
11 construction companies, sub-contractors, vendors, inspectors or other persons responsible for  
12 the installation and construction of the area on the Property where the subject incident occurred,  
13 specifically the shelving and adjacent area.

14           7. That the true names and capacities of the Defendants designated herein as Doe or  
15 Roe Business Entities are presently unknown to Plaintiff at this time, who therefore sue said  
16 Defendants by such fictitious names — these entities would specifically include Employees and  
17 owners associations presently unknown. When the true names and capacities of these defendants  
18 are ascertained, Plaintiff will amend this Complaint accordingly.

19           8. That at all times pertinent, Defendants and each of them were agents, servants,  
20 employees or joint venturers of every other Defendant herein, and at all times mentioned herein  
21 were acting within the scope and course of said agency, employment, or joint venture, with  
22 knowledge and permission and consent of all other named Defendants.

23                           **FACTS COMMON TO ALL CAUSES OF ACTION**

24           9. That on or about August 13, 2014, Plaintiff was an invitee on the Property located  
25 at 4700 Meadows Lane, Las Vegas, NV 89107.

26           10. On or about August 13, 2014, Plaintiff was injured when she slipped and fell on a  
27 liquid substance that was on the floor (hereinafter referred to as the "dangerous condition").

28           11. Upon information and belief, the dangerous condition was caused as a direct result

1 of the Defendants' failure to design, construct, control, supervise, repair, and/or maintain the  
2 Property in a reasonable and safe manner.

3 12. Defendants maintained and were in control of the Property.

4 13. Defendants knew, or reasonably should have known, that the dangerous condition  
5 existed on or about the Property.

6 14. Defendants failed to place signs, caution, warn, or otherwise make safe, the  
7 dangerous condition existing on or about the Property. Accordingly, Defendants negligently,  
8 carelessly, and recklessly created, maintained, and/or allowed the dangerous condition to exist.

9 15. Defendants should have warned or otherwise made safe the dangerous condition  
10 because that condition was non-obvious to Plaintiff.

11 **FIRST CLAIM FOR RELIEF (NEGLIGENCE)**

12 16. Plaintiff incorporates paragraphs 1 through 15 of the Complaint as if those  
13 paragraphs were fully incorporated and set forth herein.

14 17. Defendants owed Plaintiff a duty of care to warn her of the non-obvious and  
15 dangerous condition.

16 18. Defendants breached this duty of care by failing to place caution signs, or otherwise  
17 failing to warn Plaintiff of the dangerous, non-obvious condition.

18 19. Defendants' negligence directly and proximately caused Plaintiff serious injury.

19 20. As a direct and proximate result of Defendants' negligence, Plaintiff received  
20 medical and other treatments for injuries sustained to body, limbs, organs and nervous systems,  
21 all or some of which conditions may be permanent and disabling and, all to Plaintiff's damage  
22 in a sum in excess of \$10,000.00. That said services, care, and treatment are continuing and  
23 shall continue in the future.

24 21. As a direct and proximate result of Defendants' negligence, Plaintiff has been  
25 required to and has limited certain occupational and recreational activities.

26 22. That as a direct and proximate result of Defendants' negligence, Plaintiff, was  
27 prevented or limited from attending to her usual occupation, and thereby has past and future loss  
28 of earnings and earning capacity all to her special damage in an amount according to proof at

1 trial.

2 23. As a direct and proximate result of Defendants' negligence, Plaintiff has been  
3 required to engage the services of an attorney, incurring attorney's fees and costs to bring this  
4 action.


5 **PRAYER FOR RELIEF**

6 WHEREFORE, Plaintiff, expressly reserving the right to amend this Complaint prior to or  
7 at the time of trial of this action to insert those items of damage not yet fully ascertainable,  
8 prays judgment against the Defendants, and each of them, as follows:

- 9 1. General damages sustained by Plaintiff in an amount in excess of \$10,000.00;
- 10 2. Special damages to be determined at the time of trial;
- 11 3. Medical and incidental expenses already incurred and to be incurred;
- 12 4. Reasonable attorney's fees and costs of suit;
- 13 5. Interest at the statutory rate; and
- 14 6. For such other relief as the Court deems just and proper.

15 DATED THIS 16<sup>th</sup> day of March, 2016.

16 **RICHARD HARRIS LAW FIRM**

17   
18 BRYAN H. BLACKWELL, ESQ.

19 Nevada Bar No. 12558  
20 801 South Fourth Street  
21 Las Vegas, Nevada 89101  
22 *Attorneys for Plaintiff*  
23  
24  
25  
26  
27  
28

RICHARD HARRIS  
LAW FIRM



1 **IAFD**  
 2 BRYAN H. BLACKWELL, ESQ.  
 Nevada Bar No. 12558  
 3 **RICHARD HARRIS LAW FIRM**  
 801 South Fourth Street  
 4 Las Vegas, Nevada 89101  
 Phone: (702) 444-4444  
 5 Fax: (702) 444-4455  
 6 E-Mail: [Bryan.Blackwell@RichardHarrisLaw.com](mailto:Bryan.Blackwell@RichardHarrisLaw.com)  
*Attorneys for Plaintiff*

7  
 8 **DISTRICT COURT**  
**CLARK COUNTY, NEVADA**

9 A-16-733477-C

10 GABRIELA BARRERA,

)  
 ) CASE NO:  
 )

) DEPT NO. XXXI  
 )

11 Plaintiff,  
 )

12 vs.  
 )

13  
 14 CARDENAS MARKETS, INC.; DOES 1-  
 20 and ROE BUSINESS ENTITIES 1-20,  
 15 inclusive,  
 )

16 Defendants.  
 )  
 )  
 )

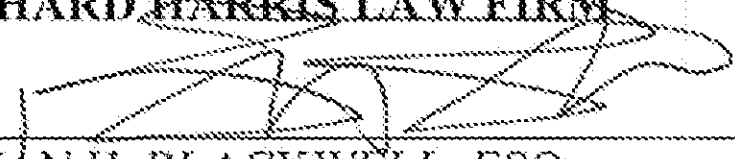
18  
 19 Pursuant to NRS Chapter 19, as amended by Senate Bill 106, filing fees are submitted for  
 20 fees appearing in the above entitled action as indicated below:

21 GABRIELA BARRERA \$ 270.00

22 **TOTAL REMITTED: \$ 270.00**

23 DATED THIS 16<sup>th</sup> day of March, 2016.  
 24

25 ~~RICHARD HARRIS LAW FIRM~~

26   
 27 BRYAN H. BLACKWELL, ESQ.  
 Nevada Bar No. 12558  
 801 South Fourth Street  
 28 Las Vegas, Nevada 89101